



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:	10/042,754	§	Confirmation No.:	2221
Applicant:	Burke et al.	§		
Filed:	07/23/2002	§		
TC/A.U.:	1761	§		
Examiner:	Carolyn A. Paden	§		
Title:	Seasoning System and Method	§		
Docket No.:	Svejkovsky-22-5	§		

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office Action dated July 19, 2006 has been received and duly noted.

Applicant hereby states that, at the time of this invention, this application and U.S. Patent 6,588,363 were commonly owned. This invention is also a continuation of the application which resulted in the '363 Patent, and all rights in that application and this application were assigned to Applicant.

Enclosed please find a Terminal Disclaimer to overcome the obviousness-type double patenting rejection of Claims 83-86, 98-109, and 111-114. Applicant strenuously disagrees, however, with the Examiner's position that one of ordinary skill in the art would expect a tumble drum to move in a forward and a backward manner in order to provide for a consistent product feed simply because the


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conveyor which feeds the tumble drum has a product tray which moves with a forward and backward movement. Moving the product tray in a forward and backward manner would not suggest moving a tumble drum in a forward and backward manner.

In view of the above, early allowance of the application is requested.

Respectfully submitted,

  
Loren G. Helmreich  
Reg. No. 29,389

Date: July 27, 2006

BROWNING BUSHMAN P.C.  
5718 Westheimer, Suite 1800  
Houston, Texas 77057-5771  
Tel.: (713) 266-5593  
Fax: (713) 266-5169

**CERTIFICATE OF MAILING**

I certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8(a)] on July 28, 2006.

  
Khristine McNeil